



EXCLUSION, DEBARMENT, & MEDI-CAL SANCTION CHECKS

HELPFUL HINTS FOR HHSA CONTRACTORS

Agency Compliance Office

County of San Diego

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EDM CHECKS – HELPFUL HINTS

DISCLAIMER

This slide deck is intended as a resource to provide helpful hints and answer common questions related to performing Exclusion, Debarment, and Medi-Cal Sanction (EDM) checks. The Agency Compliance Office also provides a separate slide deck on EDM requirements for HHSA contractors.

This slide deck is not intended to be a comprehensive set of requirements nor legal advice. For a formal description of your contractual requirements, review your contract language.



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WHY DO WE REVIEW THE LISTS?

- EDM checks are required for state and federal funded programs
- EDM checks may provide more information than a standard criminal background check, since criminal convictions can be expunged or diverted
- EDM checks better ensure the safety of HHSA clients and communities
- HHSA's policy is to perform EDM checks on all HHSA workforce members, regardless of how the workforce member's position is funded
- We run the checks monthly because the lists are updated monthly



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WHAT DATABASES DO EDM CHECKS ENTAIL?

- “List of Excluded Individuals” maintained by the federal Health and Human Services, Office of Inspector General – list of those ineligible to work in federally funded health care programs (a.k.a. OIG or LEIE list)
- “Debarment List” by the General Services Administration, System of Award Management – list of those prohibited from receiving federal contract, procurement, or non-procurement funds (a.k.a. SAM/EPLS list)
- “Medi-Cal Suspended and Ineligible List” – maintained by California’s Department of Health Care Services – list of those who cannot receive Medi-Cal funds (a.k.a. Medi-Cal list)
- Links to these lists can be found at www.cosdcompliance.org



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WHO IS ON THESE LISTS?

- Individuals with fraud and/or felony convictions
- Individuals with other serious convictions such as those related to health care, obstruction, drug use, terrorism, trafficking, or unlawful employment
- Individuals whose licenses have been revoked or suspended
- Entities which have breached a government contract
- Entities which are controlled by an individual who is on the list



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EDM CHECKS

DIFFERENT WAYS TO COMPLETE CHECKS

- Many contractors choose to run the checks themselves, manually
- Contractors may choose to purchase software to assist in running the checks. This typically means the contractor feeds staff information into a software solution, the software runs the information against all three databases, and Contractor clears results
- Contractors may choose to hire a third party to perform this process for them, so that a third-party does both, runs the names and clears results



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HOW TO RUN THE CHECKS – STEP BY STEP

1. Search names against lists
2. 'Clear' workforce members whose names generated results
3. Document the names you searched, how you cleared any results, who ran the search, and the date
4. If Contractor is unable to 'clear' a workforce member from the list as above, then Contractor should promptly notify COR. The individual may not be a workforce member on any HHSA contracts, should not have access to any HHSA clients or client data, and may not be paid with HHSA funds



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MORE ON 'CLEARING' RESULTS:

- Most workforce members searched will yield no results
- 'Clear' those workforce members whose names are on the list by documenting the results are related to another individual with the same or similar name
 - Example: Contractor staff "Mary Smith" is on SAM list. Contractor performs due diligence to evidence that the 'Mary Smith' on the SAM list is not their Mary Smith, but someone else with the same name
 - If Mary Smith appears on all three lists, Contractor performs due diligence as above on all three lists
 - If Mary Smith shows up on the SAM list four times, Contractor performs due diligence as above on all four listings



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HOW TO SEARCH

- Because the databases include only the name known to the government at the time the individual was put on the list, any former names (e.g., maiden name, previous married name, etc.) should be searched in addition to the individual's current name
- To achieve the most accurate search results, enter only the first few letters of the first and last names
- An individual with a hyphenated name should be checked under each of the last names in the hyphenated name (e.g., Jane Smith-Jones should be checked under Jane Smith and Jane Jones, in addition to Jane Smith-Jones)
- Maintain documentation of each name search performed to verify results of potential name matches. (e.g. document all three searches for Jane Smith-Jones as above)
- While only active exclusions automatically prevent a workforce member from working on an HHSA contract, inactive exclusions should be reviewed on a case-by-case basis by the Contractor



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SEARCHING THE OIG DATABASE

- The OIG provides three search options:
 - Search one individual at a time on their Online Searchable Database
 - Search up to 5 individuals at a time by selecting 'Search for Multiple Individuals' on their Online Searchable Database
 - Download their Downloadable Database into a spreadsheet or database program. This will enable you to use a program like MS Excel to crosscheck all of the names against the names in the database simultaneously
- Verify a potential match by entering the SSN for an individual. If searching the downloadable database, you must re-enter the individual on the Online Searchable Database (SSNs are not included with Downloadable Database due to privacy rules)
- If a search result does not contain a DOB, UPIN, NPI, EIN, or SSN, contact the OIG Exclusions Branch



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SEARCHING THE SAM DATABASE

- Ignore the 'Login' prompt – this is for Federal government employees
- Search one name at a time using the default search feature
- Select 'Advance Search' on the right and search up to 6 names at once and/or to structure your search with multiple categories
- The SSN/TIN Search within the 'Advanced Search' feature is useful for distinguishing between two individuals with the same or similar names
- To verify a potential match or obtain additional information, contact the point of contact (POC) linked to the Excluding Agency name within the record or find the POC on the Agency Exclusion POC page within SAM Help under Exclusions Information



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SEARCHING THE MEDI-CAL SANCTION DATABASE

- The State provides a downloadable Excel file for agencies to manually search for sanctioned individuals
- Don't rely on the alphabetical sort of the document to locate names. Instead, use 'Ctrl-F' to search the entire document. The spreadsheet has other known names and aliases listed separately (they are not alphabetized)
- On the far right of the spreadsheet, the column 'Active Period' clarifies whether the sanction is active



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FURTHER QUESTIONS CAN BE DIRECTED TO

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